

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, no claims have been amended. Claims 1-22 are pending and under consideration.

No new matter is being presented, and reconsideration of the claims is respectfully requested.

REJECTIONS OF CLAIMS 1-2, 5, 16-20 AND 22 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY GINIGER ET AL. (U.S. PATENT NO. 6,199,045)

The rejections of claims 1-2, 5, 16-20 and 22 are respectfully traversed and reconsideration is requested.

The newly cited Giniger et al. (hereinafter "Giniger") merely discloses "communications between the mobile unit and the central site server are encrypted" (Giniger, Abstract) and "means, coupled to the encrypted present position information receiving means, for decrypting the encrypted present position information" (Giniger, col 6, lines 35-37). Further, according to the disclosure of Giniger, in col. 17, lines 29-57 and figure 6A, the central site server sends the symmetric key to the mobile unit, and the mobile unit encrypts data using the symmetric key. Therefore, since the central site server already has had the symmetric key, the central site server can always decrypts the encrypted data sent from the mobile unit.

Meanwhile, embodiments of the present invention are characterized in that the position recording apparatus cannot decrypt the position information except for when receiving the decryption data from the terminal. That is, independent claim 1, for example, recites that the position recording apparatus can decrypt the encrypted position information by using decryption data only when the terminal sends the decryption data to allow the position recording apparatus to decrypt the encrypted position information and the position recording apparatus receives the decryption data from the terminal.

Thus, Giniger's invention is quite different from embodiments of the present invention described above. That is, the system of Giniger is incapable of providing protection and privacy related to the location of a mobile body, for example. (See page 3, lines 5-8, of the present specification). High-level security can be secured, according to embodiments of the present invention, since the position recording apparatus itself cannot decrypt the accumulated position information without obtaining the key for decryption from the mobile body, for example.

Therefore, it is respectfully submitted that independent claims 1, 16, 17 and 22 patentably distinguish over the cited art and should be allowed. The pending dependent claims

inherit the patentability of their respective base claims and, thus, also patentably distinguish over the prior art.

REJECTIONS OF CLAIMS 3-4 AND 6-10 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER GINIGER IN VIEW OF OLSSON (U.S. 2002/0080968)

Claims 3-4 and 6-10 depend from independent claim 1, which, as stated above, patentably distinguishes over the cited art.

Further, Olsson discloses that the NLS (Network Location Server) exchanges public keys with the mobile client (Fig. 3 and 4, for example). Accordingly, the NLS already includes the public key to decrypt the position data, the NLS can always decrypt the encrypted position data stored in the NLS. Therefore, it is further submitted that Olsson fails to cure the deficiencies of Giniger, discussed above, and thus it is respectfully submitted that dependent claims 3-4 and 6-10 patentably distinguish over the prior art.

REJECTIONS OF CLAIM 11-12 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER GINIGER IN VIEW OF PIRILA (U.S. PATENT NO. 6,674,860)

Dependent claims 11-12 depend from independent claim 1 and inherit the patentability thereof. It is further submitted that Pirila fails to cure the deficiencies of Giniger described above. Therefore, it is respectfully submitted that claims 11-12 patentably distinguish over the prior art.

REJECTIONS OF CLAIMS 13-14 AND 21 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER GINIGER IN VIEW OF WALSH ET AL. (U.S. 2004/0033795)

Dependent claims 13-14 depend from independent claim 1 and claim 21 depends from independent claim 17. The dependent claims inherit the patentability of their respective base claims. It is further submitted that Walsh et al. fails to cure the deficiencies of Giniger described above. Therefore, it is respectfully submitted that claims 13-14 and 21 patentably distinguish over the prior art.

REJECTION OF CLAIM 15 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER GINIGER IN VIEW OF WALSH ET AL. AND FURTHER IN VIEW OF OLSSON

Dependent claim 15 depends from independent claim 1 and inherits the patentability thereof. It is further submitted that Walsh et al. and Olsson fails to cure the deficiencies of Giniger described above. Therefore, it is respectfully submitted that claim 15 patentably distinguishes over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Michael P. Stanley
Michael P. Stanley
Registration No. 58,523

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501